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Arizona Corporation Commission

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Attorneys for Northern Sunrise Water Company
and Southern Sunrise Water Company

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION OF
NORTHERN SUNRISE WATER COMPANY FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER UTILITY
SERVICE IN COCHISE COUNTY, ARIZONA.

DOCKET NO. W-20453A-06-0247

IN THE MATTER OF THE APPLICATION OF
SOUTHERN SUNRISE WATER COMPANY FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER UTILITY
SERVICE IN COCHISE COUNTY, ARIZONA.

DOCKET NO. W-20454A-06-0248

IN THE MATTER OF THE JOINT APPLICATION
OF NORTHERN SUNRISE WATER COMPANY
AND SOUTHERN SUNRISE WATER COMPANY
FOR THE APPROVAL OF SALE AND TRANSFER
OF WATER UTILITY ASSETS, AND
CANCELLATION OF CERTIFICATES OF
CONVENIENCE AND NECESSITY, FOR
MIRACLE VALLEY WATER COMPANY,
COCHISE WATER COMPANY, HORSESHOE
RANCH WATER COMPANY, CRYSTAL WATER
COMPANY, MUSTANG WATER COMPANY,
CORONADO ESTATES WATER COMPANY, AND
SIERRA SUNSET WATER COMPANY, LOCATED
IN COCHISE COUNTY, ARIZONA.

DOCKET NOS. W-20453A-06-0251
W-20454A-06-0251
W-01646A-06-0251
W-01868A-06-0251
W-02235A-06-0251
W-02316A-06-0251
W-02230A-06-0251
W-01629A-06-0251
W-02240A-06-0251

**MOTION FOR EXTENSION OF
TIME TO COMPLY WITH
DECISION NO. 70955**

Southern Sunrise Water Company ("SSWC" or the "Company") hereby files this
Motion for Extension of Time to Comply with Decision No. 70955 in the above-captioned
docket ("Motion"). Decision No. 70955 requires the Company to use its best efforts to

1 negotiate a borderline agreement with East Slope Water Company ("East Slope"), and to
2 file such agreement for Commission review and approval within 120 days of the decision.
3 The deadline was August 7, 2009. SSWC originally filed a Notice of Compliance on
4 August 7, 2009, but has since been requested by Staff to file this Motion.

5 To date, SSWC has been unsuccessful in negotiating a final borderline agreement
6 with East Slope, to be filed with the Commission for review and approval. On June 2,
7 2009, East Slope filed a request for approval of an emergency surcharge to increase
8 storage capacity, and it appears that issues concerning the system have taken precedent,
9 understandably, over entering into a borderline agreement. Furthermore, SSWC has a
10 duty to its customers to not unreasonably expose them to any negative effects in the event
11 that they are required to switch water providers as a result of the borderline agreement.

12 Decision No. 70955, and the requirement to submit a borderline agreement for
13 review and approval, is predicated upon the assumption that the Company's efforts would
14 be successful. SSWC is confident that it will be successful in this regard, and will
15 continue to negotiate with East Slope so that a borderline agreement can be finalized
16 within the next 90 days. Therefore, SSWC respectfully requests that the Commission
17 extend the compliance deadline in this matter to November 7, 2009.

18 RESPECTFULLY SUBMITTED this 12th day of August, 2009.

19 FENNEMORE CRAIG, P.C.

20
21 By: 

22 Jay L. Shapiro
23 Patrick J. Black
24 Attorneys for Northern Sunrise Water Company
25 and Southern Sunrise Water Company
26

1 **ORIGINAL and 17 copies filed**
2 this 12th day of August, 2009 with:

3 Docket Control
4 Arizona Corporation Commission
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6 Phoenix, Arizona 85007

7 **Copy hand-delivered**
8 this 12th day of August, 2009 to:

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13 Phoenix, Arizona 85007

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24 **Copy sent via U.S. mail and/or**
25 **Electronic mail this 12th day of**
26 **August, 2009 to:**

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